

By: Watson

S.B. No. 1891

A BILL TO BE ENTITLED

AN ACT

relating to the imposition of an additional fee for filing civil cases in certain Travis County courts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter H, Chapter 51, Government Code, is amended by adding Section 51.709 to read as follows:

Sec. 51.709. ADDITIONAL FILING FEE FOR CIVIL CASES IN TRAVIS COUNTY. (a) This section applies only to district courts, probate courts, and county courts at law in Travis County.

(b) Except as otherwise provided by this section and in addition to all other fees authorized or required by other law, the clerk of a court shall collect a filing fee of not more than \$15 in each civil case filed in the court to be used for the construction, renovation, or improvement of the facilities that house the Travis County civil courts.

(c) Court fees due under this section shall be collected in the same manner as other fees, fines, or costs are collected in the case.

(d) The clerk shall send the fees collected under this section to the county treasurer or to any other official who discharges the duties commonly assigned to the county treasurer at least as frequently as monthly. The treasurer or other official shall deposit the fees in a special account in the county treasury dedicated to the construction, renovation, or improvement of the

1 facilities that house the courts collecting the fee.

2 (e) This section applies only to fees for a 12-month period
3 beginning October 1, if the commissioners court:

4 (1) adopts a resolution authorizing a fee of not more
5 than \$15;

6 (2) adopts a resolution requiring the county to spend
7 one dollar for the construction, renovation, or improvement of the
8 court facilities for each dollar spent from the special account
9 dedicated to that purpose; and

10 (3) files the resolutions with the county treasurer or
11 with any other official who discharges the duties commonly assigned
12 to the county treasurer not later than September 1 immediately
13 preceding the first 12-month period during which the fees are to be
14 collected.

15 (f) A resolution adopted under Subsection (e) continues
16 from year to year until October 1, 2028, allowing the county to
17 collect fees under the terms of this section until the resolution is
18 rescinded.

19 (g) The commissioners court may rescind a resolution
20 adopted under Subsection (e) by adopting a resolution rescinding
21 the resolution and submitting the rescission resolution to the
22 county treasurer or to any other official who discharges the duties
23 commonly assigned to the county treasurer not later than June 1
24 preceding the beginning of the first day of the county fiscal year.
25 The commissioners court may adopt an additional resolution in the
26 manner provided by Subsection (e) after rescinding a previous
27 resolution under that subsection.

1 (h) A fee established under a particular resolution is
2 abolished on the earlier of:

3 (1) the date a resolution adopted under Subsection (e)
4 is rescinded as provided by Subsection (g); or

5 (2) October 1, 2028.

6 (i) The county may make the required expenditure described
7 by Subsection (e)(2) at any time, regardless of when the
8 expenditure from the special account occurs.

9 SECTION 2. Subchapter D, Chapter 101, Government Code, is
10 amended by adding Section 101.06120 to read as follows:

11 Sec. 101.06120. ADDITIONAL DISTRICT COURT FEES FOR COURT
12 FACILITIES: GOVERNMENT CODE. The clerk of a district court in
13 Travis County shall collect an additional filing fee of not more
14 than \$15 under Section 51.709, Government Code, in civil cases to
15 fund the construction, renovation, or improvement of court
16 facilities, if authorized by the county commissioners court.

17 SECTION 3. Subchapter E, Chapter 101, Government Code, is
18 amended by adding Section 101.08119 to read as follows:

19 Sec. 101.08119. ADDITIONAL STATUTORY COUNTY COURT FEES FOR
20 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory county
21 court in Travis County shall collect an additional filing fee of not
22 more than \$15 under Section 51.709, Government Code, in civil cases
23 to fund the construction, renovation, or improvement of court
24 facilities, if authorized by the county commissioners court.

25 SECTION 4. Subchapter F, Chapter 101, Government Code, is
26 amended by adding Section 101.10118 to read as follows:

27 Sec. 101.10118. ADDITIONAL STATUTORY PROBATE COURT FEES FOR

1 COURT FACILITIES: GOVERNMENT CODE. The clerk of a statutory
2 probate court in Travis County shall collect an additional filing
3 fee of not more than \$15 under Section 51.709, Government Code, in
4 civil cases to fund the construction, renovation, or improvement of
5 court facilities, if authorized by the county commissioners court.

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.